

Bacon having withdrawn, with the following result: Mr. Breeding received 15 votes and Mr. Wooldridge 15 votes. The President thereupon gave the casting vote in favor of Mr. Breeding, whereupon he was declared duly elected 2nd Acting Secretary of the Senate. He then came forward and took the oath of office.

The classification of Senators being also a special order was taken up, and the Secretary having prepared seventeen ballots on which was written "long term" and sixteen on which was written "short term" all were placed in a hat and on calling the roll of Senators alphabetically the Sergeant-at-Arms drew a ballot with the following result: Messrs. Branch, Crawford of Fannin, Darden, Durant, Finlay, Guinn, Hartley, Houston, Jordan, Lea, Obenchain, Parsons, Scarborough, Selman, Shelley, Weatherford, and the Senator who may be elected from the 6th Senatorial District drew the long term. Messrs. Boyd, Burnett, Casey, Cooke, Crawford of Jasper, Dickson, Erath, Graham, Harcourt, Maxey, Mitchell, Moore, Reed, Shepard, and Wheeler drew the short term.

On motion of Mr. Houston the bill granting leave of absence to Edward H. Vontress was taken up. Read 1st time, rule suspended; read 2nd time and passed to a third reading; rule further suspended; read 3rd time and passed.

A message was received from the House informing the Senate of the concurrence by that body in the Senate's amendment to their resolution to go into the election of Confederate States Senators.

On motion of Mr. Durant the Senate adjourned until 10 o'clock A. M. tomorrow.

November 13, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain. The journal of yesterday was read and adopted.

Mr. Moore presented the petition of William V. Hughes. Referred to Committee on Claims and Accounts.

Mr. Jordan presented the petition of Lewis C. Ferguson. Read and referred to the Committee on the Judiciary.

Mr. Erath, Chairman of Committee on Public Lands, made the following report:

The Committee on Public Lands to whom was referred a bill granting preemption privileges to actual settlers have had the same under consideration and instructed me to report the bill back to the Senate as they think the present law is sufficient and that this bill do not pass.

Mr. Harcourt, Chairman of the Committee on the Judiciary, made the following report:

The Judiciary Committee have considered a bill to amend Article 284 of the Penal Code of the State of Texas and direct me to report the same back to the Senate and recommend its passage.

Mr. Hartley offered the following resolution: "**Resolved**, That the Committee on Military Affairs be requested to inquire into the propriety of the State purchasing or having manufactured cannon, powder and arms to be used in defense of the State and report at as early a day as practicable." Adopted.

Mr. Hartley introduced a joint resolution relative to the defenceless condition of the coast of Texas. Read 1st and 2nd times and referred to the Committee on State Affairs.

Mr. Scarborough offered the following resolution: "**Resolved**, That the Committee on Printing cause to be printed immediately for the use of the Senate fifty copies each of the message of Governor Clark, the reports of the Comptroller, Treasurer, Adjutant General, Superintendent of Public Schools and the Penitentiary." Adopted.

Mr. Casey introduced a bill to amend the 545th Article of the Code of Criminal Procedure. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Harcourt introduced a bill to amend the 1st section of the Statute of Limitation. Read 1st and 2nd times and referred to the Committee on Judiciary.

The President announced Mr. Shelley as committee on the part of the Senate on the memorial of Robert Creuzbaur.

### ORDERS OF THE DAY

The report of the Committee on the Judiciary on a bill authorizing the issuing of duplicate land warrants, discharges and certificates for headright claims upon certain conditions was read and bill ordered to be engrossed.

A bill to amend the 1st section of an Act entitled an Act to amend the 4th section of the Act of May 12, 1846, to regulate the license and practice of attorneys and counsellors at law, &c., &c., read 2nd time and ordered to be engrossed.

Mr. Erath by leave offered the following resolution: "**Resolved**, That with the concurrence of the House the Committee on Indian Affairs of both Houses act jointly on measures of frontier defense." Adopted.

On motion of Mr. Erath, Messrs. Obenchain and Graham were added to the Committee on Indian Affairs.

On motion of Mr. Selman the joint resolution with regard to the appointment of a joint committee to take

into consideration the financial condition of the State, also the amendment thereto offered by Mr. Mitchell was taken up and on motion of Mr. Shepard indefinitely postponed.

On motion of Mr. Burnett the Senate adjourned until 10 o'clock A. M. tomorrow.

Thursday, November 14, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain. Roll called, quorum present. The journal of yesterday was read and adopted.

Mr. Graham presented the certificate of election of Honorable J. J. Dickson, Senator-elect from the 15th Senatorial District, whereupon Mr. Dickson came forward and took the oath prescribed by the Constitution.

Mr. Jordan presented the petition of Samuel Everett. Referred to the Judiciary Committee.

Mr. Parsons presented the petition of sundry citizens of the county of Rusk praying the prohibition of the sale of spirituous liquors in the town of Bellview. Referred to Committee on Judiciary.

Mr. Selman introduced a bill to amend the 2nd and 3rd sections of an Act to provide for the payment of grand and petit jurors passed February, 1850. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Reed introduced bill to amend Article 649, section 16, O. & W. Digest [Williamson S. Oldham and George W. White, **A Digest of the General Statute Laws of the State of Texas**, 1859], passed March 16, 1848, regulating the mode of opening returns of elections. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Wheeler introduced a bill to authorize the county court of Angelina County to regulate the pay of the sheriff therein in certain cases. Read 1st and 2nd times and referred to Judiciary Committee.

Mr. Cooke introduced a bill for the benefit of irrigable property. Read 1st and 2nd times and referred to Committee on Internal Improvements.

Mr. Crawford of Fannin introduced a bill exempting certain property of Texas troops in the Confederate Army from taxation. Read 1st and 2nd times and referred to Committee on State Affairs.

Mr. Finlay introduced a bill to incorporate the Galveston and Beaumont Rail Road and Steam Ferry Company. Read 1st and 2nd times and referred to Committee on Internal Improvements.

Mr. Crawford of Jasper, Chairman of the Committee on Engrossed Bills, reported the following bills correctly engrossed: bill supplementary to an Act authorizing the